



Security Council

Distr.
GENERAL

S/1997/1013
29 December 1997
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 25 DECEMBER 1997 FROM THE PERMANENT
REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 24 December 1997 from His Excellency Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq. This concerns the blocking for over a year by the United States representative on the Security Council Committee established by resolution 661 (1990) of approval of a contract for the spare parts and equipment required in order to repair the Kirkuk-Yumurtalik oil pipeline. Recently, this same representative has imposed arbitrary conditions on approval which are in contravention of the Memorandum of Understanding, Security Council resolution 986 (1995) and the proceedings of the Security Council Committee established by resolution 661 (1990).

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

Accept, Sir, the assurances of my highest consideration.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative



Annex

Letter dated 24 December 1997 from the Minister for Foreign
Affairs of Iraq addressed to the Secretary-General

Further to my letter to you dated 27 November 1997 (S/1997/937), I have the honour to draw your attention to the techniques employed by certain Security Council members in dealing with the contracts submitted under the provisions of Security Council resolution 986 (1995) and the Memorandum of Understanding concluded on 20 May 1996 between the Secretariat of the United Nations and the Government of Iraq (S/1996/356), the objective of which was to alleviate the suffering of the Iraqi people caused by the embargo to which it has been subjected for over seven years.

I am sure you are well aware that the oil for food formula is dependent upon the export of Iraqi oil and the use of the revenue to purchase food, medicine and other basic humanitarian needs under United Nations supervision carried out by experts from the Netherlands Saybolt Company, who are stationed at all oil-export and food distribution points.

As you know, the oil export process involves a pressing need for spare parts to repair damage to the oil pipeline and pumping stations, as was affirmed by the provisions of paragraphs 29, 30 and 31 of the Memorandum of Understanding. Through its mission in New York, the Government of Turkey has submitted two letters dated 5 November 1996 and 23 January 1997 to the Security Council Committee established by resolution 661 (1990) requesting approval for the Turkish company Teksan to export spare parts and equipment for the repair of the Kirkuk-Yumurtalik pipeline. These two letters were considered by the Committee at its 141st meeting on 31 July 1997. At this meeting, the representatives of the United States and the United Kingdom requested additional information on the situation, and consideration of the contract was deferred to a subsequent meeting. The United States representative maintained his stance at all subsequent meetings at which the contract was considered, and the item was deferred at 12 meetings. At the most recent of these, the 164th meeting, held on 9 December 1997, the United States representative finally decided to approve the contract. However, this approval was conditional upon the Turkish company (Teksan) undertaking responsibility for supplying the materials, storing them in Turkey and transporting them to Iraq when they are needed, and upon their transportation and use in Iraq being carried out under the strictest supervision.

The formula introduced by the representative of the United States on the Security Council Committee established by resolution 661 (1990) has set a bad precedent, in contravention of the contractual norms governing international trade, which stipulate that it is the responsibility of the supplier to provide the purchaser with the materials that have been contracted for. It is not part of the supplier's responsibility to store those materials in his own warehouses or to supply them piecemeal.

This behaviour is one of the means employed by the United States representative with a view to obstructing, delaying and complicating contracts

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under the Memorandum of Understanding, in blatant contravention of the provisions and aims of that instrument. It also establishes a dangerous precedent for the proceedings of the Security Council Committee established by resolution 661 (1990), which in no way authorize the representative of the United States to impose such arbitrary conditions.

While bringing to your attention the behaviour of the United States representative with regard to this contract, I should like at the same time to convey to you the rejection of the Government of Iraq of this formula, which contravenes the conventions of international trade practice, and the provisions of Security Council resolution 986 (1995) and the Memorandum of Understanding.

I also hope that you will personally intervene to oppose the formula introduced by the United States representative. The approval of the Security Council Committee established by resolution 661 (1990) of the contract with the Turkish company Teksan for the supply of the spare parts and equipment required in order to repair the Kirkuk-Yumurtalik oil pipeline should be considered absolute. No restrictions or pre-conditions should be attached thereto, pursuant to the provisions of Security Council resolution 986 (1995) and the Memorandum of Understanding.

I should be grateful if you would have this letter circulated as a document of the Security Council.

Accept, Sir, the assurances of my highest consideration.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq

Baghdad, 24 Sha'ban A.H. 1418
24 December 1997



Security Council

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GENERAL

S/1997/1014
29 December 1997
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IDENTICAL LETTERS DATED 29 DECEMBER 1997 FROM THE PERMANENT
REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO
THE SECRETARY-GENERAL AND TO THE PRESIDENT OF THE SECURITY
COUNCIL

On instructions from my Government, I have the honour to inform you that violations of Iraq's airspace by United States aircraft continued over the period 20 to 23 December 1997 and that the aircraft in question carried out reconnaissance and engaged in acts of provocation, as set forth in the annex hereto.

You are requested to intervene with a view to bringing a halt to actions that, as flagrant violations of the Charter of the United Nations and the provisions of international law, pose a threat to the sovereignty and territorial integrity of the Republic of Iraq.

These actions continue to alarm the civilian population and to cause serious damage to private and public property. The Republic of Iraq affirms its right to seek legal compensation for the damage being inflicted on the Iraqi people and the Iraqi State by these actions.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative



Annex

Details of violations of Iraq's airspace and damage caused,
20-23 December 1997

1. In the northern region 92 sorties were flown at speeds of 600 to 900 kilometres per hour and at altitudes of 6,000 to 9,000 metres, over the following Iraqi cities and towns: Dohuk, Mosul, Amadiyah, Aqrah, Zakho, Irbil, Tall Afar, Baibo, Rawanduz and Sinjar.
2. In the southern region 235 sorties were flown at speeds of 600 to 900 kilometres per hour and at altitudes of 6,000 to 9,000 metres, over the following Iraqi cities and towns: Nasiriyah, Samawah, Artawi, Ushbayjah, Jalibah, Salman, Busayyah, Qurnah, Chabaish, Shinafiyah, Kut, Rumaythah, Habariyah, Rahhaliyah, Basra, Hayy, Shatrah, Taqtaqanah, Amarah, Lasaf, Hamzah, Diwaniyah, Shithathah, Nukhayb and Qal'at Salih.
3. At 1232 hours on 22 December 1997, a formation of two United States aircraft broke the sound barrier in the area north of Sinjar.



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LETTER DATED 29 DECEMBER 1997 FROM THE PERMANENT REPRESENTATIVE
OF THE LIBYAN ARAB JAMAHIRIYA TO THE UNITED NATIONS ADDRESSED
TO THE SECRETARY-GENERAL

I have the honour to transmit to you herewith the statement issued on 25 December 1997 by the Lockerbie Suspects Defence Group in response to the contents of the report submitted to you by Dr. Dumbutshena and Professor Schermers on the Scottish judicial system. This was circulated as Security Council document S/1997/991 of 18 December 1997.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Abuzed Omar DORDA
Permanent Representative



Annex

Statement issued by the Lockerbie Suspects Defence Group

The Lockerbie Suspects Defence Group, which comprises senior lawyers from each of the countries mentioned in the indicting resolution (including Malta, Switzerland, Germany, the United Kingdom of Great Britain and Northern Ireland and the United States of America) have followed developments since the United Kingdom Foreign Secretary reneged on the proper stance which he had adopted in his statements during the Commonwealth Conference, and in particular the statement he made on 27 October 1997, when he did not appear to rule out a trial in a neutral country. However, on 28 October 1997 he said that he would invite representatives from the United Nations, the Organization of African Unity and the League of Arab States to visit Scotland and study the Scottish judicial system. At the time we provisionally registered our position, namely, that the issue is not one of studying the Scottish or United States judicial system - if that were the case, why should the Libyan Arab judicial system not be studied? It is a modern and up-to-date system, drafted under the supervision of the United Nations at the time when Libya was being prepared for independence, and in accordance with the most modern and up-to-date judicial systems.

We have made it clear that the issue is not the study of any judicial system, but rather to find a solution that will guarantee a fair trial in the following conditions:

(a) Far from the atmosphere of political and media prejudice, which is extensive in the United Kingdom and the United States of America; and

(b) Far from the biased juries who are more influenced by political and media prejudice than by the judges.

This does not mean that it suffices that a person be from Scotland, for example, in order to conduct a fair trial, or that the trial be held in that country.

What we have proposed is the following:

(a) To change the location of the trial; and

(b) To replace jurors by a group of judges, to be agreed upon, presided over by a Scottish judge.

On our side, we have compromised in order to reach this solution by accepting that our clients should be tried outside the natural jurisdiction of their own judges, to which they are entitled under Libyan Arab national law and the law of international conventions (article 5, paragraphs 2 and 3, of the Montreal Convention of 1971, to which the United States of America, the United Kingdom and the Libyan Arab Jamahiriya are signatories), and under international customary law and the principles of human rights. The United States and the United Kingdom defence team, in their recent submissions to the International Court of Justice on 11 to 22 October 1997, acknowledged and affirmed that the

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Libyan Arab Jamahiriya has judicial authority and competence in accordance with the Montreal Convention of 1971, article 5, paragraphs 2 and 3. It also acknowledged and affirmed that there was no obligation for the Libyan Arab Jamahiriya to hand over the suspects, since it had already started its judicial procedures (article 7 and article 8, paragraph 3, of the aforementioned Montreal Convention of 1971).

Therefore, the proposal which we have negotiated under the judicial authority and competence of our country includes the following:

(a) The trial should not take place in the Libyan Arab Jamahiriya, the United States of America or the United Kingdom;

(b) Jurors should be replaced by a group of judges, to be agreed upon, presided over by a Scottish judge.

This is not to say that the jury system should be abandoned. If the trial were held in Scotland contrary to our proposal, we would insist on the natural judicial authority and competence for our clients, namely, the national jurisdiction of the Libyan Arab Jamahiriya.

We will thwart any measure or attempt to hand over our clients, since that would be invalid under national law, international customary and convention law and human rights principles which guarantee our clients the right to a fair trial. It would also ignore the principle that a man is innocent until proved guilty, which has been undermined by political and media prejudice in both the United Kingdom and the United States.

We welcome the position adopted by the League of Arab States, the Organization of African Unity, the Organization of the Islamic Conference and the Movement of Non-Aligned Countries. We also welcome the just and objective stance taken by the families of the victims in Scotland and the United States, and their support for the suggestion made by Professor Blake that the trial should be held in The Hague by a group of judges, to be agreed upon, presided over by a Scottish judge. These judges would act as unbiased jurors.

We consider that the Secretary-General of the United Nations should commission a group of lawyers to study this proposal, and to present it to the Council as a reasonable and acceptable suggestion that is in keeping with the provisions of Security Council resolution 883 (1993), paragraph 16.

Ibrahim Bashir Al-Ghuwayl
Coordinator,
The Lockerbie Suspects Defence Group

25 December 1997



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IDENTICAL LETTERS DATED 30 DECEMBER 1997 FROM THE PERMANENT
REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE
SECRETARY-GENERAL AND TO THE PRESIDENT OF THE SECURITY COUNCIL

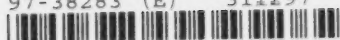
On instructions from my Government, I have the honour to inform you that violations of Iraq's airspace by United States aircraft continued over the period 24 to 27 December 1997 and that the aircraft in question carried out reconnaissance and engaged in acts of provocation, as set forth in the annex hereto.

You are requested to intervene with a view to bringing a halt to actions that, as flagrant violations of the Charter of the United Nations and the provisions of international law, pose a threat to the sovereignty and territorial integrity of the Republic of Iraq.

These actions continue to alarm the civilian population and to cause serious damage to private and public property. The Republic of Iraq affirms its right to seek legal compensation for the damage being inflicted on the Iraqi people and the Iraqi State by these actions.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative



Annex

Details of violations of Iraq's airspace and damage caused,
24-27 December 1997

1. In the northern region 48 sorties were flown at speeds of 600 to 900 kilometres per hour and at altitudes of 6,000 to 9,000 metres, over the following Iraqi cities and towns: Dohuk, Mosul, Amadiyah, Aqrah, Zakho, Irbil, Tall Afar, Baibo and Rawanduz.
2. In the southern region 222 sorties were flown at speeds of 600 to 900 kilometres per hour and at altitudes of 6,000 to 9,000 metres, over the following Iraqi cities and towns: Nasiriyah, Samawah, Artawi, Ushbayjah, Jalibah, Afak, Salman, Busayyah, Qurnah, Chabaish, Shinafiyah, Kut, Nu'maniyah, Ali al-Sharqi, Ali al-Gharbi, Rifa'i, Rumaythah, Habariyah, Rahhaliyah, Nukhayb, Buhayrat Razzazah, Basra, Hayy, Shatrah, Taqtaqanah and Amarah.
3. Three sorties were flown by United States military combat aircraft and bombers at altitudes of 6,000 to 9,000 metres and speeds of 600 to 900 kilometres per hour. TR-1 reconnaissance aircraft made sorties at an altitude of 20,000 metres and at a speed of 600 kilometres per hour.



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30 December 1997
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LETTER DATED 30 DECEMBER 1997 FROM THE PERMANENT
REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 29 December 1997 addressed to you by Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, giving details of the fresh Turkish incursion into Iraq's territory on 25 December 1997 and urging the United Nations to meet its responsibilities as laid down in the Charter and to halt the intimidation and aggression to which Iraq is being subjected.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

Annex

Letter dated 29 December 1997 from the Minister for Foreign
Affairs of Iraq addressed to the Secretary-General

Further to our letter of 8 December 1997 (S/1997/968), I have the honour to draw your attention to the fact that on 25 December 1997, the Turkish armed forces, supported by the air force, launched a fresh invasion into the territory of the Republic of Iraq, towards the regions of Birbanah, Sanat and Afkuzi to the north-east of the city of Zakho.

The Government of the Republic of Iraq strongly condemns the repeated aggressions and violations by the Turkish armed forces, and categorically rejects the arguments put forward by Turkey to justify the continuing incursions into its territory.

The pretext invoked, namely, the pursuit of rebel elements opposed to the Turkish Government in order to put an end to their activities, does not authorize the Turkish armed forces to invade Iraqi territory or violate its integrity. Turkey uses spurious arguments to justify its acts of aggression when, in fact, it is the policy pursued by the Turkish Government, in cooperating with the United States and United Kingdom Governments to impose an unlawful no-flight zone, that is to blame for the tensions in northern Iraq.

The repeated acts of aggression undertaken by the Turkish Government are a dangerous violation of the sovereignty and territorial integrity of Iraq, destroy the principle of good-neighbourliness and contravene the 1926 Iraq-Turkey boundary agreement.

Iraq, while demanding that the Turkish Government immediately withdraw its invasion forces from Iraqi territory and desist from any repetition of these continual aggressive practices, holds the Turkish Government entirely and internationally responsible for these acts of aggression inside Iraqi territory and for their consequences, regardless of the arguments used to justify them. The Government of the Republic of Iraq reserves its right under international law to determine an appropriate response to this iniquitous military aggression and to seek compensation for the damage caused by these repeated Turkish breaches and violations of Iraq's territory and airspace and for the human suffering inflicted on Iraqi citizens by these acts.

The Government of Iraq renews its call to the Government of Turkey to renounce its dangerous policy, which clearly contributes to perpetuating the abnormal situation in northern Iraq, in cooperation with the United States and United Kingdom Governments, as part of a dangerous scheme to interfere in Iraq's internal affairs.

While reiterating, through you, my country's call to the Turkish Government to respect Iraq's sovereignty and territorial integrity, I express the hope that the United Nations will meet its responsibilities as laid down in the Charter and halt the intimidation and aggression to which Iraq is constantly being subjected.

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I should be grateful if you would have this letter circulated as a document of the Security Council.

Accept, Sir, the assurances of my highest consideration.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq



Security Council

Distr.
GENERAL

S/1997/1018
30 December 1997

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL CONCERNING THE CREDENTIALS OF
THE REPRESENTATIVES AND DEPUTY AND ALTERNATE REPRESENTATIVES
OF THE MEMBERS OF THE SECURITY COUNCIL ELECTED FOR THE
PERIOD 1998-1999

At its 30th plenary meeting, on 14 October 1997, the General Assembly elected Bahrain, Brazil, Gabon, the Gambia and Slovenia as non-permanent members of the Security Council for a term of two years beginning on 1 January 1998.

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that, with regard to the representation of the members of the Security Council elected for the period 1998-1999, he has received the communications referred to hereunder.

Bahrain: Credentials from the Minister for Foreign Affairs of Bahrain, signed on 18 November 1997, stating that Mr. Jassim Mohammed Buallay has been appointed representative of Bahrain on the Security Council, Mr. Rashid Saad Al-Dosari deputy representative and Mr. Tawfeeq Ahmed Al-Mansoor, Mr. Ebrahim Mubarak Al-Dosari, Mr. Ahmed Mohamed Al-Dosari, Mr. Abdullah Ahmed Al-Khalifa and Mr. Mohammed Saleh Mohammed Saleh alternate representatives.

In the opinion of the Secretary-General, these credentials are in order.

Brazil: Credentials from the Minister for Foreign Relations of Brazil, signed on 14 November 1997, stating that Mr. Celso Luiz Nunes Amorim has been appointed representative of Brazil on the Security Council, Mr. Henrique R. Valle deputy representative and Mr. José Eduardo M. Felicio, Mr. Antônio de Aguiar Patriota and Mr. Paulo Cordeiro de Andrade Pinto alternate representatives.

In the opinion of the Secretary-General, these credentials are in order.

Gabon: Credentials from the President of the Gabonese Republic, signed on 26 November 1997, stating that Mr. Denis Dangué Réwaka has been appointed representative of Gabon on the Security Council, Mr. Marcelin Mve Ebang deputy representative and Mr. Charles Essonghé, Mr. Alfred MOUNGARA, Mr. Grégoire Loumba, Mr. Parfait Onanga-Anyanga, Ms. Annette Onanga and Mr. Dominique Roger Nkazengany alternate representatives.



In the opinion of the Secretary-General, these credentials are in order.

Gambia: Credentials from the Secretary of State for Foreign Affairs of the Gambia, signed on 20 November 1997, stating that Mr. Abdoulie Momodou Sallah has been appointed representative of the Gambia on the Security Council and Mr. Crispin Gray Johnson and Mr. Mawdo Touray alternate representatives.

In the opinion of the Secretary-General, these credentials are in order.

Slovenia: Credentials from the Minister for Foreign Affairs of Slovenia, signed on 26 November 1997, stating that Dr. Danilo Türk has been appointed representative of Slovenia on the Security Council and Mr. Samuel Žbogar and Mr. Janez Lenarčič alternate representatives.

In the opinion of the Secretary-General, these credentials are in order.



Security Council

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S/1997/1019
30 December 1997

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS MISSION OF OBSERVERS IN PREVLAKA

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 3 of Security Council resolution 1119 (1997) of 14 July 1997, in which the Council requested me to submit by 5 January 1998 a report on the situation in the Prevlaka peninsula as well as on progress made by the Republic of Croatia and the Federal Republic of Yugoslavia towards a settlement to resolve peacefully their differences in this area.

2. The United Nations Mission of Observers in Prevlaka (UNMOP) consists of 28 United Nations military observers (see annex) headed by a Chief Military Observer, Colonel Harold Mwakio Tangai (Kenya). The current mandate of the mission expires on 15 January 1998.

3. In accordance with resolution 1119 (1997), UNMOP continues to monitor the demilitarization of the Prevlaka peninsula and of the neighbouring areas in Croatia and the Federal Republic of Yugoslavia by carrying out vehicle and foot patrols on both sides of the international border, except when prevented from doing so by restrictions of movement imposed by one party or the other. As part of its work, the mission holds regular meetings with local authorities in order to strengthen liaison, reduce tension, improve safety and security and promote confidence between the parties. In that context, the Chief Military Observer maintains contacts with the authorities in Zagreb and Belgrade in order to address issues arising from resolution 1119 (1997). Cooperation between UNMOP and the multinational stabilization force is maintained through regular meetings.

II. SITUATION IN THE AREA OF RESPONSIBILITY OF THE UNITED NATIONS MISSION OF OBSERVERS IN PREVLAKA

4. Since the submission of my report of 1 July 1997 (S/1997/506), the situation in the UNMOP area of responsibility has remained stable. Occasional violations of the demilitarization regime, consisting of several sightings of Croatian Army and Yugoslav personnel and one sighting of a Croatian heavy weapon

were fewer in number and of lesser significance than similar violations reported in the past.

5. The long-standing violations of the demilitarization regime in the United Nations controlled zone (the so-called "Blue Zone") continue, caused by the presence of approximately 30 Croatian Special Police, located at two positions and one checkpoint, and of approximately six Yugoslav (Montenegrin) Border Police, located at one position and one checkpoint.

6. In addition, the waters of the United Nations controlled zone continue to be violated frequently by Croatian and Yugoslav fishing boats, as well as occasionally by Croatian police boats. The Croatian authorities continue to grant civilians, including journalists, unauthorized access to the northern part of the United Nations controlled zone, close to the Prevlaka compound.

7. The most significant long-standing violation in the demilitarized zone (the so-called "Yellow Zone") is the continuing presence of Yugoslav Army troops in the north-western part. Owing to the restriction imposed by the Yugoslav authorities on the movement of United Nations military observers in that area, UNMOP has not been able to ascertain the strength and armament of these Yugoslav Army troops.

8. As regards the freedom of movement of United Nations military observers elsewhere in the UNMOP area of responsibility, Croatia continues to deny them routine access to positions in the northern portion of the demilitarized zone and to several positions in the southern portion.

9. Since my previous report, the observed number of Croatian Special Police personnel deployed in the UNMOP area of responsibility has decreased from approximately 350 to approximately 250. It should be noted that the agreed regime of demilitarization imposes no limit upon the number of police personnel inside the demilitarized zone, where practically all of the reduction occurred.

III. PROGRESS TOWARDS ADOPTION OF THE PRACTICAL OPTIONS

10. During discussions with the Croatian and Yugoslav authorities in October 1997, the Chief Military Observer again appealed to the parties to improve their compliance with the demilitarization regime. In particular, he urged the parties to remove landmines from areas patrolled by the United Nations military observers and to cease their interference with the observers' freedom of movement. These steps are among the practical options that were proposed by UNMOP in May 1996, as part of the procedures to reduce tension and improve safety and security in the area (see S/1996/502, para. 7).

11. Following negotiations between UNMOP and Croatian officials, the Minister of Internal Affairs of Croatia ordered the clearing of a minefield along a road inside the United Nations controlled zone. During November and December, a total of 67 mines were cleared. Upon the completion of this project, the Croatian authorities closed three positions of the Special Police inside the United Nations controlled zone. These actions represent the first substantial progress towards implementation of the practical options since June 1996.

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Subsequently, the Yugoslav Army conducted a mine-searching operation along a road inside the United Nations controlled zone and confirmed that the road was free of mines. As a result of these actions by the parties, United Nations military observers are now able to patrol all roads inside the United Nations controlled zone without risk to their safety.

12. Efforts by the Chief Military Observer to establish procedures for regular access to positions throughout the UNMOP area of responsibility have not so far been successful. The Yugoslav authorities have, however, lifted the partial restriction on the access of United Nations military observers to Border Police positions and also on their use of a road in the demilitarized zone.

IV. PROGRESS TOWARDS A SETTLEMENT

13. Since my previous report, the parties have continued to indicate in their contacts with United Nations officials that their bilateral negotiations pursuant to the Agreement on Normalization of Relations between the Federal Republic of Yugoslavia and the Republic of Croatia, signed at Belgrade on 23 August 1996 (S/1996/706, annex), have not yet addressed the Prevlaka dispute directly and that there has been no progress towards a settlement. Public statements by senior government officials in Croatia and the Federal Republic of Yugoslavia have confirmed those indications.

14. The unresolved dispute over Prevlaka continues to obstruct progress towards opening the international border crossing at Debeli Brijeg, inside the UNMOP area of responsibility. Croatian and Yugoslav officials have again been unable to reach agreement on the status of this crossing point, despite the signing on 15 September of a "soft border regime" to regulate other border crossings between Croatia and the Federal Republic of Yugoslavia (S/1997/767, para. 33).

V. OBSERVATIONS

15. Since my previous report, the parties have continued to indicate in their contacts with UNMOP that they retain their divergent interpretations of the Prevlaka dispute, as reflected in their letters addressed to me on 12 December 1997 (S/1997/984) and 22 December 1997 (S/1997/1002) respectively. For Croatia, it is a security issue, whereas the Federal Republic of Yugoslavia regards it as a territorial issue.

16. The stability which has prevailed in the UNMOP area of responsibility since the establishment of the mission on 1 February 1996 has not been disrupted by any serious incidents. The welcome steps of compliance with the practical options proposed by UNMOP have served to confirm the lessening of tensions. Furthermore, both parties have continued to reiterate, publicly as well as in contacts with my Chief Military Observer, their firm commitment to a negotiated resolution of the disputed issue of Prevlaka in accordance with article 4 of their Agreement on Normalization of Relations.

17. On the other hand, substantive negotiations have not started and, in discussions with UNMOP, Croatian and Yugoslav officials have held out no

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prospect of an end to the long-term violations in the United Nations controlled zone (see para. 5). It is the assessment of the Chief Military Observer that these and the other violations of the demilitarization regime do not threaten stability in the UNMOP area of responsibility and do not prevent UNMOP from carrying out its mandate. However, together with the continuing divergence of views on the exact delimitation of the United Nations controlled and demilitarized zones, they provide a constant irritant in the relations between UNMOP and the local authorities, an irritant which should be removed.

18. UNMOP plays an essential role in maintaining conditions conducive to negotiations, and recent developments at other parts of the border between Croatia and the Federal Republic of Yugoslavia give me grounds for hope that the two countries can solve the disputed issue of Prevlaka through mutual negotiations. Until then they have agreed to respect the existing security regime established through United Nations monitoring. I therefore recommend a further six-month extension of the UNMOP mandate until 15 July 1998. I appeal to Croatia and the Federal Republic of Yugoslavia once again to commence substantive talks. Should they so wish, the whole set of instruments of the United Nations is at their disposal to assist in the search for a peaceful settlement.

19. In conclusion, I would like to pay tribute to the Chief Military Observer and the men and women of UNMOP who have carried out their important tasks in a conscientious and effective manner.



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Security Council

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31 December 1997

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GENERAL ASSEMBLY
Fifty-second session
Agenda item 61
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-second year

Letter dated 30 December 1997 from the Permanent
Representative of Cyprus to the United Nations
addressed to the Secretary-General

Upon instructions from my Government, I have the honour to bring to your attention the following developments concerning the continuing destruction inflicted on the cultural heritage of the occupied area of Cyprus:

On again I would like to point out that while the Cyprus Government zealously protects places of worship belonging to all faiths in Cyprus, Turkey not only has refused to adhere to international law and the relevant United Nations resolutions but has been steadfastly continuing its policy of religious intolerance in the occupied areas. More recently, the following grave violations were committed:

- The Church of St. George, in the village of Prastio in the Famagusta district, has been transformed into a mosque (see photographs 1-4);*
- The Church of Michael the Archangel at Kyrenia has been converted into a museum (see photographs 5-8);
- The Church of the Holy Virgin Chrysopolitissa in Kyrenia has been turned into a mosque (see photographs 9-10);
- The Church of St. George at Kyrenia has been converted into a mosque (see photograph 11);

* The photographs may be consulted at the Permanent Mission of Cyprus to the United Nations.



- The Church of St. Paraskevi in Lapithos has been converted into a mosque (see photograph 12);
- The Church of the Holy Virgin in Karavas has been converted into a mosque (see photograph 13);
- The Church of St. Amvrosios in the village of Ayios Amvrosios has been converted into a mosque (see photograph 14).

Moreover, the following churches, after having been desecrated and looted, have been abandoned to deteriorate and are in danger of collapse:

- The Church of the Holy Virgin (Melandrina), located near the villages of Ayios Amvrosios and Kalogrea (see photographs 15-17);
- The Church of Antifonitis in the village of Ayios Amvrosios (see photographs 18-21);
- The Church of St. Anastasia in Lapithos (see photographs 22-25);
- The Church of St. Irene in Karavas (see photographs 26-28);
- The Church of St. George in Karavas (see photographs 29-31).

The continuous and systematic plundering of the religious and cultural heritage of Cyprus is an act which is contrary to all the principles upon which the United Nations was founded and upon which international law is based. In addition to other gross violations against property in the occupied area, Turkey, as the occupying Power for more than 23 years, is fully responsible and accountable for these new illegal acts.

The documented large-scale destruction of over 500 churches, perpetrated before the eyes of the international community, continues unabated in an effort to Turkify the occupied areas and constitutes an affront to the very credibility of international organizations in general and to the United Nations in particular. The ability to respond effectively and in a timely manner to such gross violations of international law should be a testament to the international community's commitment to the much-cherished principle of the protection of cultural heritage.

It is ironic that this latest illegality comes at a time when the new international order, promoted by the United Nations, considers the protection and safeguarding of human rights as a key element for world peace and understanding.

We have noted with satisfaction that you have included in your latest report to the Security Council, dated 8 December 1997 (S/1997/962, para. 20), our protests concerning the destruction of churches and other religious property and your assurances that the United Nations Peacekeeping Force in Cyprus (UNFICYP) is pursuing the matter with the Turkish side.

/...

On behalf of the Government of the Republic of Cyprus, I wish once again to strongly protest these acts of wilful and deliberate destruction and to request, Your Excellency, that you call upon the occupying Power to cease and desist from such anachronistic policies and take the necessary measures to stop and reverse them. Moreover, I also request that you inform all relevant human rights mechanisms and include in your next report to the Security Council the results of the investigations by UNFICYP.

I would be grateful if you would have the text of the present letter circulated as a document of the General Assembly, under agenda item 61, and of the Security Council.

(Signed) Sotou ZACKHEOS
Ambassador,
Permanent Representative



Security Council

Distr.
GENERAL

S/1997/1021
31 December 1997

ORIGINAL: ENGLISH

LETTER DATED 24 DECEMBER 1997 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to Security Council resolution 1141 (1997) of 28 November 1997, by which the Council decided to establish the United Nations Civilian Police Mission in Haiti (MIPONUH).

Having completed the customary consultations, I propose that the mission be composed of police personnel from the following Member States: Argentina, Benin, Canada, France, India, Mali, Niger, Senegal, Togo, Tunisia and United States of America.

All of these States have expressed their readiness to make the necessary personnel available.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN



Security Council

Distr.
GENERAL

S/1997/1022
31 December 1997

ORIGINAL: ENGLISH

LETTER DATED 30 DECEMBER 1997 FROM THE PRESIDENT OF THE
SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 24 December 1997 (S/1997/1021) concerning the proposed composition of the United Nations Civilian Police Mission in Haiti (MIPONUH) has been brought to the attention of the members of the Council. They agree with the proposal contained in your letter.

(Signed) Fernando BERROCAL SOTO
President of the Security Council



Security Council

Distr.
GENERAL

S/1997/1023
31 December 1997

ORIGINAL: ENGLISH

LETTER DATED 26 DECEMBER 1997 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to the United Nations Mission for the Referendum in Western Sahara (MINURSO).

Following the usual consultations, it is my intention to appoint Mr. Charles F. Dunbar (United States of America) as Special Representative of the Secretary-General for Western Sahara.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN





Security Council

Distr.
GENERAL

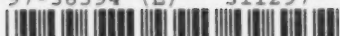
S/1997/1024
31 December 1997

ORIGINAL: ENGLISH

LETTER DATED 30 DECEMBER 1997 FROM THE PRESIDENT OF THE
SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 26 December 1997 (S/1997/1023) concerning your intention to appoint Mr. Charles F. Dunbar (United States of America) as your Special Representative for Western Sahara has been brought to the attention of the members of the Council. They agree with the intention contained in your letter.

(Signed) Fernando BERROCAL SOTO
President of the Security Council





Security Council

Distr.
GENERAL

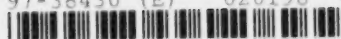
S/1997/1025
31 December 1997
ENGLISH
ORIGINAL: ARABIC

IDENTICAL LETTERS DATED 31 DECEMBER 1997 FROM THE
PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED
NATIONS ADDRESSED TO THE SECRETARY-GENERAL AND TO
THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 30 December 1997 from His Excellency Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, concerning the determination of the United States to undertake wide-ranging acts of aggression against Iraq, in which it will use prohibited weapons. The Minister also calls for the United Nations to meet its responsibilities and stop this aggression.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative



Annex

Identical letters dated 30 December 1997 from the Minister
for Foreign Affairs of Iraq to the Secretary-General and to
the President of the Security Council

I should like to draw your attention to the continuing military preparations being made by the United States of America in the Arabian Gulf region. These include the stockpiling of various types of matériel and weapons, even internationally prohibited weapons, with a view to carrying out wide-ranging acts of aggression against Iraq. This constitutes a serious threat to peace in the region and to international peace and security.

The United States Administration attempts to justify this aggressive behaviour by claiming that Iraq is in possession of prohibited weapons, and that these weapons are concealed in the Presidential People's Palaces. They are using these false allegations as a pretext for bombarding those palaces with prohibited weapons, in order to persuade the world that such weapons do exist in Iraq, and in order to find a way out of the predicament in which they have landed themselves.

The material facts prove that Iraq has no chemical or biological weapons. The United States knows this better than any other country, its nationals controlling as they do the Special Commission, its secretariat, and the inspection teams which have been operating in Iraq for more than six years.

Iraq expects that this prodigious military mobilization in the region and the political and media escalation will lead to United States military strikes against the Presidential People's Palaces and other sites connected with the infrastructure of the Iraqi economy, particularly since the United States is documented as having previously employed prohibited weapons such as depleted uranium, which its forces used during the 30-Power aggression against Iraq in 1991.

The primary goal of all the turmoil created by the United States Administration, its attempts to mislead and to spread disinformation about Iraq and its political leadership, is to distract international public attention from the truth about the inhumane policy pursued by that Administration in maintaining the oppressive sanctions which have been imposed on Iraq for more than seven years, despite the fact that the justifications for those sanctions no longer exist, and regardless of Iraq's compliance with all its obligations under the relevant Security Council resolutions.

This aggressive behaviour also constitutes a further attempt by the United States to escape international pressure on its Administration to change its attitude towards the issue of Iraq in the Security Council and acknowledge Iraq's achievements in implementing the provisions of section C of Security Council resolution 687 (1991) and meeting the requirements of paragraph 22 of that resolution.

While bringing Iraq's concerns to your attention, I enclose a copy of the statement made on this matter on 26 December 1997 by the official spokesman for the Iraqi leadership.

I should also like to inform you that Iraq holds the United States of America entirely and internationally responsible for the acts of aggression, intimidation and provocation which it carries out against Iraq, and for their consequences, regardless of the arguments used to justify them. The Government of the Republic of Iraq reserves its right under international law to determine an appropriate response to this aggression and to seek compensation for the damage it causes.

I hope that the Security Council will meet its responsibilities as laid down in the Charter with regard to maintaining international peace and security, and endeavour to prevent the aggression to which the United States is determined to subject Iraq.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq

Enclosure

The statement made by the official spokesman

On 26 December 1997, the official spokesman for the joint meeting of the Revolution Command Council and the Iraqi leadership of the Arab Baath Socialist Party made the following statement:

The United States, which controls the Special Commission, is very well aware, after more than six and a half years of Special Commission activity, and the thousands of inspection and verification operations that it has carried out, that Iraq is completely free of chemical and biological weapons.

Nevertheless, the United States still persists in its false allegations that such weapons have been concealed. It is spreading false charges that this concealment has been effected in the Presidential People's Palaces, while at the same time it is building up huge military stockpiles in the region.

The most likely outcome of this campaign will be United States military strikes against these and other sites. Weapons of mass destruction that contain chemical and biological elements will be used with a view to enabling the United States to claim, once the strikes have been carried out, that its allegations were well-founded.

It is essential to be on guard against these malicious United States plots, which have been confirmed by well-informed sources. The United States has already used prohibited weapons such as depleted uranium during the 30-Power aggression of 1991.

The United States must recognize that its plots and manoeuvres cannot succeed, and that the essential issue, that of the lifting of sanctions, will be achieved. It must also recognize and accept the fact that the sanctions cannot be maintained indefinitely, so that the region may live in security and stability.

Baghdad, 26 December 1997



Security Council

Distr.
GENERAL

S/1997/1026
31 December 1997

ORIGINAL: ENGLISH

LETTER DATED 31 DECEMBER 1997 FROM THE CHAIRMAN OF THE
SECURITY COUNCIL COMMITTEE ESTABLISHED PURSUANT TO
RESOLUTION 985 (1995) CONCERNING LIBERIA ADDRESSED TO
THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 985 (1995) concerning Liberia which was adopted by the Committee under the no-objection procedure on 26 December 1997 and is being submitted in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234).

(Signed) Fernando BERROCAL SOTO
Chairman
Security Council Committee established
pursuant to resolution 985 (1995)
concerning Liberia

Annex

Report of the Security Council Committee established
pursuant to resolution 985 (1995) concerning Liberia

I. INTRODUCTION

1. The present report of the Security Council Committee established pursuant to resolution 985 (1995) concerning Liberia covers the period from 1 January to 31 December 1997.

2. A report of the Committee covering its activities from 1 January to 31 December 1996 was submitted to the Security Council on 31 December 1996 (S/1996/1077).

II. SUMMARY OF THE COMMITTEE'S ACTIVITIES
DURING THE REPORTING PERIOD

3. At its 4th meeting, held on 6 January 1997, the Committee elected its bureau for 1997, which consisted of Ambassador Fernando Berrocal Soto (Costa Rica) as Chairman, with the delegations of Japan and Sweden providing the two Vice-Chairmen.

III. ACTION BY THE SECURITY COUNCIL

4. In paragraph 9 of its resolution 1100 (1997) of 27 March 1997 and paragraph 7 of its resolution 1116 (1997) of 27 June 1997, the Security Council stressed the obligation of all States to comply strictly with the embargo on the deliveries of weapons and military equipment to Liberia imposed by resolution 788 (1992) of 19 November 1992, to take all actions necessary to ensure strict implementation of the embargo, and to bring all instances of violations of the embargo before the Committee established pursuant to resolution 985 (1995) of 13 April 1995.



Security Council

Distr.
GENERAL

S/1997/1027
31 December 1997

ORIGINAL: ENGLISH

LETTER DATED 31 DECEMBER 1997 FROM THE CHAIRMAN OF THE SECURITY
COUNCIL COMMITTEE ESTABLISHED PURSUANT TO RESOLUTION 864 (1993)
CONCERNING THE SITUATION IN ANGOLA ADDRESSED TO THE PRESIDENT
OF THE SECURITY COUNCIL

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola, which was adopted by the Committee under the no-objection procedure on 31 December 1997, and is being submitted in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234).

(Signed) Nabil A. ELARABY
Chairman

Security Council Committee established
pursuant to resolution 864 (1993)
concerning the situation in Angola



Annex

Report of the Security Council Committee established pursuant
to resolution 864 (1993) concerning the situation in Angola

I. INTRODUCTION

1. The present annual report of the Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola covers the period from 1 January to 31 December 1997.

II. SUMMARY OF THE COMMITTEE'S ACTIVITIES
DURING THE REPORTING PERIOD

2. At its 11th meeting, held on 6 January 1997, the Committee elected its bureau for 1997, which consisted of Ambassador Nabil Elaraby (Egypt) as Chairman, with the delegations of Costa Rica and Japan providing the two Vice-Chairmen. The Committee held two meetings in 1997.

3. In its resolution 1127 (1997) of 28 August 1997, the Security Council, acting under Chapter VII of the Charter of the United Nations, decided to impose additional measures against the União Nacional para a Independência Total de Angola (UNITA), such as restrictions on the travel of senior members of UNITA and adult members of their immediate families, the closing of UNITA offices, the prohibition of flights of aircraft by or for UNITA, the supply of any aircraft or aircraft components to UNITA and the insurance, engineering and servicing of UNITA aircraft.

4. In paragraph 11 of the same resolution, the Security Council mandated the Committee to undertake the following additional tasks:

(a) To draw up guidelines expeditiously for the implementation of paragraph 4 of resolution 1127 (1997), including the designation of officials and of adult members of their immediate families whose entry or transit was to be prevented and whose travel documents, visas or residence permits were to be suspended or cancelled in accordance with paragraphs 4 (a) and 4 (b) of the resolution;

(b) To give favourable consideration to, and decide upon, requests for the exceptions set out in paragraph 5 of resolution 1127 (1997);

(c) To report to the Council by 15 November 1997 regarding the actions taken by States to implement the measures set out in paragraph 4 of resolution 1127 (1997).

5. The foregoing measures imposed against UNITA do not apply to cases of medical emergency or to flights of aircraft carrying food, medicine or supplies for essential humanitarian needs. In accordance with paragraph 5 of resolution 1127 (1997), the Committee is authorized to approve such requests on a case-by-case basis.

/...

6. At its 12th meeting, held on 17 September 1997, the Committee met to consider the draft of the new consolidated guidelines for the conduct of its work which included the aforementioned additional tasks mandated to the Committee under paragraph 11 of resolution 1127 (1997). In accordance with a decision taken at that meeting the draft guidelines were subsequently considered at an informal meeting of the Committee held on 22 September 1997.

7. By paragraph 2 of resolution 1130 (1997) of 29 September 1997, the Security Council decided to postpone the imposition of the measures specified in paragraph 4 of resolution 1127 (1997). By paragraph 3 of the resolution the Security Council reaffirmed its readiness to review the imposition of the measures referred to in paragraph 2 and to consider the imposition of additional measures in accordance with paragraphs 8 and 9 of resolution 1127 (1997).

8. Pursuant to paragraph 6 of resolution 1135 (1997) of 29 October 1997, the provisions set forth in paragraph 4 of resolution 1127 (1997) came into force on 30 October 1997 and the Security Council reaffirmed its readiness to review the measures or to consider the imposition of additional measures in accordance with paragraphs 8 and 9 of resolution 1127 (1997).

9. On 31 October 1997, the Committee adopted, under the no-objection procedure, the new consolidated guidelines for the conduct of its work which were transmitted by a note verbale on 4 November 1997 to all States and international organizations/specialized agencies for their information and use as necessary.

10. By a note verbale of 19 December 1997, the Committee transmitted to all States and international organizations/specialized agencies, for their information and use as necessary, a list of senior officials of UNITA (annex III of the new consolidated guidelines) whose entry or transit is to be prevented by all States, and whose travel documents, visas or residence permits are to be suspended or cancelled in accordance with paragraphs 4 (a) and 4 (b) of resolution 1127 (1997). A press release (SC/6457) on this subject was also issued. The aforementioned list will be updated by the Committee on a regular basis and any additions or deletions will be transmitted to all States and international organizations/specialized agencies as addenda to annex III. In this connection, the Committee is currently considering information provided to it on senior officials of UNITA and adult members of their immediate families which will be issued as future addenda to annex III. The Committee is also in the process of compiling a list of aircraft registered in Angola (annex IV of the new consolidated guidelines).

11. In accordance with paragraph 8 of resolution 1135 (1997) Member States are required to provide to the Committee information on the measures they have adopted to implement the provisions of paragraph 4 of resolution 1127 (1997) no later than 1 December 1997, and, under paragraph 9 of the resolution the Committee is required to report to the Council by 15 December 1997 regarding the action taken by Member States to implement these measures. In this connection a note verbale dated 4 November 1997 was sent by the Chairman of the Committee to Member States requesting the information. As of 31 December 1997 replies

S/1997/1027

English

Page 4

received from 29 States were issued as documents of the Committee and are listed in the report of the Committee to the Security Council (S/1997/977) and its addendum (S/1997/977/Add.1).



Security Council

Distr.
GENERAL

S/1997/1028
31 December 1997

ORIGINAL: ENGLISH

LETTER DATED 31 DECEMBER 1997 FROM THE CHAIRMAN OF THE
SECURITY COUNCIL COMMITTEE ESTABLISHED PURSUANT TO
RESOLUTION 918 (1994) CONCERNING RWANDA ADDRESSED TO
THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 918 (1994) concerning Rwanda, which was adopted by the Committee under the no-objection procedure on 31 December 1997 and is being submitted in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234).

(Signed) Hisashi OWADA
Chairman
Security Council Committee
established pursuant to
resolution 918 (1994)
concerning Rwanda



Annex

Report of the Security Council Committee established pursuant
to resolution 918 (1994) concerning Rwanda

I. INTRODUCTION

1. The present report of the Security Council Committee established pursuant to resolution 918 (1994) concerning Rwanda covers the period from 1 January to 31 December 1997.
2. A report of the Committee covering its activities from 1 January to 31 December 1996 was submitted to the Security Council on 7 January 1997 (S/1997/15).

II. SUMMARY OF THE COMMITTEE'S ACTIVITIES DURING THE
REPORTING PERIOD

3. At its 6th meeting, held on 6 January 1997, the Committee elected its bureau for 1997, which consisted of Ambassador Hisashi Owada (Japan) as Chairman, with the delegations of Kenya and Sweden providing the two Vice-Chairmen.
4. Although the restrictions imposed by paragraph 13 of resolution 918 (1994) on the sale or supply of arms and related matériel to the Government of Rwanda were terminated on 1 September 1996 in accordance with paragraph 8 of resolution 1011 (1995), all States are required to continue to implement the foregoing restrictions with a view to preventing the sale and supply of arms and related matériel to non-governmental forces for use in Rwanda.

III. OBSERVATIONS

5. The Committee relies solely on the cooperation of States and organizations in a position to provide it with pertinent information concerning possible violations of the arms embargo. In this regard the Committee wishes to reiterate its appeal to all States to observe strictly the mandatory measures specified in the relevant resolutions of the Security Council.



Security Council

Distr.
GENERAL

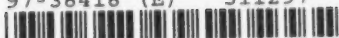
S/1997/1029
31 December 1997

ORIGINAL: ENGLISH

LETTER DATED 31 DECEMBER 1997 FROM THE CHAIRMAN OF THE
SECURITY COUNCIL COMMITTEE ESTABLISHED PURSUANT TO
RESOLUTION 751 (1992) CONCERNING SOMALIA ADDRESSED TO
THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia, which was adopted by the Committee under the no-objection procedure on 29 December 1997 and is being submitted in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234).

(Signed) PARK Soo Gil
Chairman
Security Council Committee
established pursuant to
resolution 751 (1992)
concerning Somalia



Annex

Report of the Security Council Committee established pursuant
to resolution 751 (1992) concerning Somalia

I. INTRODUCTION

1. The present report of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia covers the period from 1 January to 31 December 1997.
2. A report of the Committee covering its activities from 1 January to 31 December 1996 was submitted to the Security Council on 7 January 1997 (S/1997/16).

II. SUMMARY OF THE COMMITTEE'S ACTIVITIES DURING THE
REPORTING PERIOD

3. At its 13th meeting, held on 6 January 1997, the Committee elected its bureau for 1997, which consisted of Ambassador Park Soo Gil (Republic of Korea) as Chairman, with the delegations of Costa Rica and Egypt providing the two Vice-Chairmen.

III. OBSERVATIONS

4. In order to monitor effectively the arms embargo, the Committee relies solely on the cooperation of States and organizations in a position to provide it with pertinent information. In this regard the Committee would like to remind all States of their obligation to comply with the resolutions of the Security Council relating to the 'arms embargo.



Security Council

Distr.
GENERAL

S/1997/1030
31 December 1997

ORIGINAL: ENGLISH

LETTER DATED 31 DECEMBER 1997 FROM THE CHAIRMAN OF THE SECURITY
COUNCIL COMMITTEE ESTABLISHED PURSUANT TO RESOLUTION 748 (1992)
CONCERNING THE LIBYAN ARAB JAMAHIRIYA ADDRESSED TO THE PRESIDENT
OF THE SECURITY COUNCIL

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 748 (1992) concerning the Libyan Arab Jamahiriya, containing an account of the Committee's activities since the beginning of 1997. The present report, which was adopted by the Committee on 19 December 1997, is being submitted in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234).

(Signed) Zbigniew Maria WLOSOWICZ
Chairman
Security Council Committee
established pursuant to
resolution 748 (1992)
concerning the
Libyan Arab Jamahiriya



Annex

Report of the Security Council Committee established pursuant to
resolution 748 (1992) concerning the Libyan Arab Jamahiriya

I. INTRODUCTION

1. The Committee adopted the present report on 19 December 1997. The purpose of the report is to present a factual summary of the Committee's activities during the calendar year 1997, in accordance with the transparency measures outlined by the President of the Security Council on 29 March 1995 (S/1995/234). During 1997, the Committee held seven meetings and handled over 100 incoming communications relating to various aspects of the implementation of the mandatory sanctions, as well as a comparable number of replies.

II. SUMMARY OF THE COMMITTEE'S WORK

A. Guidelines of the Committee

2. The Committee's bureau, as elected at the Committee's first meeting of each year, consists of a Chairman and two Vice-Chairmen. The Chairman of the Committee is elected in his/her personal capacity for the calendar year, while two delegations are elected to provide the Vice-Chairmen for the year, all three constituting the bureau of the Committee. For 1997, the bureau consisted of H.E. Zbigniew Maria Wlosowicz (Poland) as Chairman, with the delegations of Portugal and the Republic of Korea providing the two Vice-Chairmen.

B. Humanitarian flights

3. Pursuant to paragraph 9 (e) of resolution 748 (1992), and at the suggestion of the United Nations Resident Coordinator in Tripoli, the Committee, at its 13th meeting, on 14 October 1992, approved special arrangements for emergency medical evacuation by air (MEDEVAC) from the Libyan Arab Jamahiriya. Instructions and procedures concerning the measures so approved by the Committee were transmitted to all States and international organizations on 16 October 1992.

4. The Committee subsequently, at its 59th meeting, on 17 July 1995,^a approved further procedures and arrangements concerning the authorization and monitoring procedures for MEDEVAC flights from the Libyan Arab Jamahiriya and the related issue of the maintenance and supply of spare parts for the pre-designated four Libyan air ambulances as an annex to the Special Arrangements for Emergency Medical Evacuations by Air from the Libyan Arab Jamahiriya, adopted previously by the Committee at its 13th meeting, on 14 October 1992.

5. During 1997, the Committee approved 70 emergency MEDEVAC flights, while during 1996, 63 were approved.

6. On 19 March 1997 the Committee approved a request dated 5 March 1997 from Egypt for 45 flights on Egypt Air from Cairo to Tripoli and Benghazi and on to Jeddah, and an equal number of return flights, for the purpose of transporting Libyan pilgrims to perform the Haj.

7. As in the previous year, the Committee approved the Egyptian request with the following conditions: (a) the Government of Egypt will communicate to the Committee in advance the exact schedule, routing and aircraft registration number for each flight; (b) all flights shall be direct, non-stop between the authorized destinations; (c) none of the aircraft shall be owned by, leased from or controlled by the Libyan Arab Jamahiriya or any Libyan entity; (d) neither the Government nor the public authorities of the Libyan Arab Jamahiriya nor any Libyan undertaking shall, directly or indirectly, benefit financially from such flights, pursuant to paragraph 3 (a) and (b) of Security Council resolution 883 (1993); and (e) pursuant to the guidelines approved by the Committee, the aircraft must be inspected to ensure that they are operating exclusively for the declared humanitarian purposes and in accordance with the relevant provisions of Security Council resolution 748 (1992). Accordingly, these inspections were effected in the same manner as last year.^b

C. Violations

8. At its 3734th meeting, on 29 January 1997, the Security Council indicated, through a statement read by its President (S/PRST/1997/2), that the announcement by the Libyan authorities that Libyan Arab Airways would resume international flights out of the Libyan Arab Jamahiriya immediately (S/1997/52), was incompatible with Council resolution 748 (1992), which prohibits all international flights to and from that country. The Council also took note of reports that a Libyan-registered aircraft had flown from Tripoli to Accra on 21 January 1997, in apparent violation of resolution 748 (1992) and asked the Sanctions Committee to follow up on the matter. Furthermore, the Council drew the attention of Member States to their obligations under resolution 748 in the event that Libyan-registered aircraft seek to land in their territory. At its 73rd meeting, held on 3 February 1997, the Committee considered action pursuant to the presidential statement. In this connection, the Committee decided to address letters to the Permanent Representatives of Ghana and the Libyan Arab Jamahiriya to the United Nations, seeking further information on the above incident.

9. At its 3761st meeting, on 4 April 1997, in a statement by the President of the Security Council (S/PRST/1997/18), the Council cited the 29 March flight of a Libyan-registered aircraft from Tripoli to Jeddah, Saudi Arabia, as a clear violation of the sanctions regime and called upon its Government to refrain from any further violations. The Council also requested its Committee monitoring the sanctions against the Libyan Arab Jamahiriya to draw the attention of Member States to their obligations under Security Council resolution 748 (1992) in the event of Libyan-registered aircraft landing in their territory. On 11 April 1997, the Committee approved the text of a note verbale to be addressed to all Member States, as called for in the presidential statement.

10. As a result of the informal consultations conducted on 13 May 1997 by the Security Council on the recent visits by the Head of State of the Libyan Arab Jamahiriya to Nigeria and Niger (in violation of Security Council resolution 748 (1992)), the President of the Council decided to forward the subject matter to the Committee in order to gather the facts and to report back to the Council. The Committee met on 15 and 19 May 1997 and decided that: (a) the flights by the Libyan Head of State were unauthorized; and (b) they constituted a breach of the sanctions regime. The Committee also took due note of the contents of the communications addressed to the Chairman by the Libyan Arab Jamahiriya, Nigeria and Niger. The Chairman briefed the Security Council on 20 May 1997 on the decision arrived at by the Committee. At the 3777th meeting of the Security Council, held on 20 May 1997, the President made a statement on behalf of the Council concerning this incident (S/PRST/1997/27).

III. REVIEWS BY THE SECURITY COUNCIL

11. On 12 August and 9 December 1992, the Security Council held informal consultations pursuant to paragraph 13 of resolution 748 (1992), by which the Council decided to review every 120 days or sooner, should the situation so require, the measures imposed by paragraphs 3 to 7 against the Libyan Arab Jamahiriya in the light of the compliance by the Libyan Government with paragraphs 1 and 2 of the resolution, taking into account as appropriate, any reports provided by the Secretary-General in his role as set out in paragraph 4 of resolution 731 (1992). So far, the Security Council has undertaken 17 such reviews.

12. In 1997, the Council undertook three reviews, on 14 March, 10 July and 7 November. On those occasions, the members found that conditions did not exist for modifying the regime of sanctions established by the Council in paragraphs 3 to 7 of resolution 748 (1992).

Notes

^a See SC/6070.

^b See SC/6343.
